

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-SECOND DAY (CONTINUED) — TUESDAY, MAY 6, 2003

The house met at 9 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 505).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Puente; Quintanilla; Raymond; Reyna; Riddle; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wong; Woolley; Zedler.

Absent, Excused — Oliveira; Ritter.

Absent, Excused, Committee Meeting — Heflin; Luna; Pitts; Wohlgemuth.

Absent — Hilderbran; Wolens.

The invocation was offered by Reverend Amador Garza, pastor, Immaculate Conception Church, Rio Grande City, as follows:

Provident God, source of life and wisdom, grant us the grace to acknowledge your sacred presence at all times.

May your spirit reside in the hearts and minds of the women and men who work in this place. May the glory of your name and the common good of all those whom they have been called to serve direct their thoughts and feelings.

May the pride of knowing ourselves as Texans be even greater in knowing ourselves, your very own daughters and sons. Amen.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of illness:

Ritter on motion of Ellis.

The following member was granted leave of absence for today to attend a meeting of the conference committee on **HB 1**:

Luna on motion of Lewis.

The following members were granted leaves of absence temporarily for today to attend a meeting of the conference committee on **HB 1**:

Heflin on motion of Lewis.

Pitts on motion of Lewis.

Wohlgemuth on motion of Lewis.

CAPITOL PHYSICIAN

The speaker recognized Representative Morrison who presented Dr. F. L. Merian of Victoria as the "Doctor for the Day."

The house welcomed Dr. Merian and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Truitt in the chair)

HR 696 - ADOPTED
(by Swinford and Hunter)

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 696**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 696, Recognizing Randall Yarbrough of Austin on his outstanding service to the State of Texas.

HR 696 was read and was adopted without objection.

On motion of Representative Hunter, the names of all the members of the house were added to **HR 696** as signers thereof.

HR 1020 - ADOPTED
(by Wong)

Representative Wong moved to suspend all necessary rules to take up and consider at this time **HR 1020**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1020, Honoring Bernadine M. Jones for being named the 2003 Special Education Teacher of the Year for the Houston Independent School District Central District.

HR 1020 was adopted without objection.

HR 1027 - ADOPTED
(by Hegar)

Representative Hegar moved to suspend all necessary rules to take up and consider at this time **HR 1027**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1027, Congratulating the members of the Prairie View A&M University Class of 1953 on their 50th college reunion.

HR 1027 was adopted without objection.

HCR 3 - ADOPTED
(by Homer)

Representative Homer moved to suspend all necessary rules to take up and consider at this time **HCR 3**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 3, In memory of Sergeant Robert Lee Trapp of the Lamar County Sheriff's Department.

HCR 3 was unanimously adopted by a rising vote.

HCR 8 - ADOPTED
(by Homer)

Representative Homer moved to suspend all necessary rules to take up and consider at this time **HCR 8**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 8, In memory of Leighton Marion Cornett of Paris, Texas.

HCR 8 was unanimously adopted by a rising vote.

HR 1012 - ADOPTED
(by E. Jones)

Representative E. Jones moved to suspend all necessary rules to take up and consider at this time **HR 1012**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1012, Honoring the Bexar County Medical Society on its 150th anniversary.

HR 1012 was adopted without objection.

On motion of Representative Menendez, the names of all the members of the house were added to **HR 1012** as signers thereof.

HR 774 - ADOPTED
(by Peña)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 774**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 774, Honoring Dr. Anna Guzman of Edinburg on her selection as AVANCE-Rio Grande Valley's 2003 Mother of the Year.

HR 774 was adopted without objection.

HR 997 - ADOPTED
(by Peña)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 997**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 997, Commending Judge Mary Alice Palacios on her exemplary public service.

HR 997 was adopted without objection.

HR 1022 - ADOPTED
(by Peña)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 1022**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1022, Honoring the Palmer Drug Abuse Program in McAllen for its contributions to the community.

HR 1022 was adopted without objection.

HCR 4 - ADOPTED
(by Solis)

Representative Solis moved to suspend all necessary rules to take up and consider at this time **HCR 4**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 4, Directing the Texas Higher Education Coordinating Board to reflect certain factors in its basic formula funding recommendations.

HCR 4 was adopted without objection.

On motion of Representative Wilson, the names of all the members of the house were added to **HCR 4** as signers thereof.

**HR 906 - ADOPTED
(by Goolsby)**

Representative Goolsby moved to suspend all necessary rules to take up and consider at this time **HR 906**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 906, In memory of Cecil Howard Green.

HR 906 was unanimously adopted by a rising vote.

On motion of Representative Wilson, the names of all the members of the house were added to **HR 906** as signers thereof.

(Speaker pro tempore in the chair)

(Pitts now present)

INTRODUCTION OF GUESTS

The chair recognized Representative Y. Davis who introduced members and coaches of the DeSoto High School boys basketball team, winners of the Class 5A state championship.

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading, and the following resolutions were laid before the house on committee report and adopted (members registering votes are shown following the caption):

CSHB 1087 (by Olivo), A bill to be entitled An Act relating to longevity pay for county jailers employed by certain sheriff's departments.

HB 469 (by Berman), A bill to be entitled An Act relating to the placement in a juvenile justice alternative education program of certain students with disabilities.

CSHB 573 (by Hunter), A bill to be entitled An Act relating to the Texas Legislative Medal of Honor and other state military awards.

CSHB 722 (by Guillen, et al.), A bill to be entitled An Act relating to the powers of the commissioners court in certain counties that have no incorporated municipality.

Amendment No. 1

Representatives Guillen and Lewis offered the following amendment to **CSHB 722**:

Amend **CSHB 722** on page 1 as follows:

(1) On line 21, strike "and".

(2) Insert between lines 21 and 22 the following:

"(3) the commissioners court may not exercise the powers of a municipality under Chapter 211 or 213, Local Government Code; and".

(3) On line 21, strike "(3)" and substitute "(4)".

Amendment No. 1 was adopted without objection.

HB 2692 (by Guillen), A bill to be entitled An Act relating to a pilot program to promote and facilitate the operation of diabetes groups.

CSHB 3304 (by Guillen), A bill to be entitled An Act relating to the appointment and duties of a judicial master in the 229th Judicial District.

SB 855 (Swinford - House Sponsor), in lieu of **HB 1620**, A bill to be entitled An Act relating to funding of the Texas Wine Marketing Assistance Program.

Representative Swinford moved to lay **HB 1620** on the table subject to call.

The motion prevailed without objection.

CSHB 1622 (by Flores and Eissler), A bill to be entitled An Act relating to special license plates for passenger cars and light trucks owned by or used for the transportation of veterans with disabilities.

CSHB 1773 (by W. Smith), A bill to be entitled An Act relating to municipal requirements for junked vehicles.

HB 2242 (by W. Smith), A bill to be entitled An Act relating to notice sent by a local government after a mandatory pre-bid conference.

HB 1797 (by Farabee), A bill to be entitled An Act relating to group and blanket accident and health insurance.

HB 1798 (by Farabee), A bill to be entitled An Act relating to health maintenance organizations.

HB 1799 (by Farabee), A bill to be entitled An Act relating to group life insurance.

HB 1800 (by Farabee), A bill to be entitled An Act relating to health maintenance organizations.

CSHB 1838 (by Thompson), A bill to be entitled An Act relating to the prosecution of the offense of insurance fraud; providing a penalty.

SB 1400 (Zedler and Capelo - House Sponsors), in lieu of **HB 1891**, A bill to be entitled An Act relating to the labeling of certain drugs.

Representative Zedler moved to lay **HB 1891** on the table subject to call.

The motion prevailed without objection.

HB 2085 (by Campbell), A bill to be entitled An Act relating to the availability of bilingual clerks for an election.

CSHB 2252 (by Flores), A bill to be entitled An Act relating to exemptions for certain individuals from cost recovery actions and liens placed on homesteads by the Texas Commission on Environmental Quality.

SB 1013 (Flores - House Sponsor), in lieu of **HB 3489**, A bill to be entitled An Act relating to the regulation of the practice of appraising real property; providing administrative, civil, and criminal penalties.

Representative Flores moved to lay **HB 3489** on the table subject to call.

The motion prevailed without objection.

CSHB 2609 (by Coleman and Naishtat), A bill to be entitled An Act relating to the establishment of mental health court programs.

HB 2063 (by Bohac), A bill to be entitled An Act relating to the employees affected by certain county grievance procedures.

HB 2673 was withdrawn.

HB 2677 was withdrawn.

HB 943 (by Krusee), A bill to be entitled An Act relating to vehicles eligible for conservation license plates supporting the Texas Parks and Wildlife Department.

CSHB 2313 (by Krusee), A bill to be entitled An Act relating to the issuance of obligations for public improvements.

HB 3109 (by B. Keffer), A bill to be entitled An Act relating to physician and health care provider panels of independent review organizations.

HB 1628 was withdrawn.

SB 1635 (J. Keffer - House Sponsor), in lieu of **HB 2691**, A bill to be entitled An Act relating to carrying a passenger on an all-terrain vehicle.

Representative J. Keffer moved to lay **HB 2691** on the table subject to call.

The motion prevailed without objection.

CSHB 2701 (by J. Keffer), A bill to be entitled An Act relating to the provision of fire prevention and safety education.

CSHB 3322 (by J. Keffer), A bill to be entitled An Act relating to the creation of an appellate judicial system for the Eleventh Court of Appeals District.

CSHB 638 (by Chisum), A bill to be entitled An Act relating to emissions reductions incentives and the emissions reductions incentives account.

CSHB 942 (by Chisum and Rose), A bill to be entitled An Act relating to certain bond requirements for persons engaged in certain activities under the jurisdiction of the Railroad Commission of Texas other than the ownership or operation of wells.

CSHB 2129 (by Chisum, Eissler, Howard, McReynolds, and Solis), A bill to be entitled An Act relating to the issuance of Space Shuttle Columbia license plates to benefit the Aviation and Space Foundation of Texas.

CSHB 749 (by Smithee), A bill to be entitled An Act relating to the issuance of Air Force Association license plates.

(Hilderbran now present)

CSHB 2764 (by Garza), A bill to be entitled An Act relating to the authority of certain municipal hospital authorities to borrow money.

HB 3102 (by Garza), A bill to be entitled An Act relating to the fiscal year of the Maverick County Hospital District.

HB 3371 (by Garza), A bill to be entitled An Act relating to hospital and medical care required to be provided by the Maverick County Hospital District.

CSHB 2799 (by Thompson), A bill to be entitled An Act relating to the application of the Uniform Municipal Courts of Record Act.

HB 3555 (by Thompson), A bill to be entitled An Act relating to the creation of the Harris County Road Improvement District No. 2; providing authority to impose a tax and issue bonds.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Hamric, Representative Thompson offered the following committee amendment to **HB 3555**:

Amend **HB 3555** by striking Section 19(a), on page 23, lines 19-23 and substituting the following:

(a) The initial board consists of the following persons:

Mike Magness
Andi Artze
Brian Crum
Ashlyn Tankersley
Adam Kramer

Amendment No. 1 was adopted without objection.

Amendment No. 2 (Committee Amendment No. 2)

On behalf of Representative Laney, Representative Thompson offered the following committee amendment to **HB 3555**:

Amend **HB 3555** as follows:

(1) On page 21, line 12, after the words "expenses." insert the words "The district may not impose an impact fee or assessment on the property, equipment, rights of way, facilities, or improvements of an electric utility or a power generation company as defined by Section 31.002, Utilities Code, a gas utility as defined by Section 101.003 or 121.001, Utilities Code, or a telecommunications provider as defined by Section 51.002, Utilities Code."

Amendment No. 2 was adopted without objection.

HR 1031 - ADOPTED
(by Gallego)

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 1031**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1031, In memory of Airman First Class Raymond Losano of Del Rio.

HR 1031 was unanimously adopted by a rising vote.

HR 1026 - ADOPTED
(by Delisi)

Representative Delisi moved to suspend all necessary rules to take up and consider at this time **HR 1026**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1026, Honoring Stacey Dillon for her service to the residents of House District 55.

HR 1026 was read and was adopted without objection.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
(consideration continued)

CSHB 820 (by Grusendorf), A bill to be entitled An Act relating to the eligibility of certain appellate judges to retire with full benefits.

HB 1129 (by Farrar), A bill to be entitled An Act relating to the types of restrictions that may be enforced by certain municipalities.

Amendment No. 1

Representative Farrar offered the following amendment to **HB 1129**:

Amend **HB 1129** by inserting the following appropriately numbered SECTIONS and renumbering SECTIONS of the bill appropriately:

SECTION _____. Section 212.133, Local Government Code, as redesignated by Chapter 1420, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 212.133. SUIT TO ENFORCE RESTRICTIONS. (a) Except as provided by Subsection (b), the [The] municipality may sue in any court of competent jurisdiction to enjoin or abate a violation of a restriction contained or incorporated by reference in a properly recorded plan, plat, or other instrument that affects a subdivision located inside the boundaries of the municipality.

(b) The municipality may not initiate or maintain a suit to enjoin or abate a violation of a restriction if a property owners' association with the authority to enforce the restriction files suit to enforce the restriction.

(c) In a suit by a property owners' association to enforce a restriction, the association may not submit into evidence or otherwise use the work product of the municipality's legal counsel.

SECTION _____. Section 212.133, Local Government Code, as redesignated by Chapter 1420, Acts of the 77th Legislature, Regular Session, 2001, and amended by this Act, applies only to a suit filed on or after the effective date of this Act. A suit filed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Farrar offered the following amendment to **HB 1129**:

Amend **HB 1129** by inserting the following appropriately numbered SECTIONS and renumbering SECTIONS of the bill appropriately:

SECTION _____. Subchapter E, Chapter 212, Local Government Code, as redesignated by Chapter 1420, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 212.1335 to read as follows:

Sec. 212.1335. FORECLOSURE BY PROPERTY OWNERS ASSOCIATION. (a) A municipality may not participate in a suit or other proceeding to foreclose a property owners' association's lien on real property.

(b) In a suit or other proceeding to foreclose a property owners' association's lien on real property in the subdivision, the association may not submit into evidence or otherwise use the work product of the municipality's legal counsel.

SECTION _____. Section 212.1335, Local Government Code, as added by this Act, applies only to a suit filed on or after the effective date of this Act. A suit filed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

Amendment No. 2 was adopted without objection.

SB 982 (Callegari - House Sponsor), in lieu of **HB 1904**, A bill to be entitled An Act relating to the transfer of certain state property and the granting of certain state easements from the Texas Department of Criminal Justice and the Department of Public Safety of the State of Texas to the City of Houston.

Representative Callegari moved to lay **HB 1904** on the table subject to call.

The motion prevailed without objection.

(Heflin now present)

HB 1251 was withdrawn.

CSHB 1338 (by Taylor), A bill to be entitled An Act relating to the amount of homeowners insurance or other residential property insurance required in connection with certain financing arrangements.

HB 1702 (by Taylor), A bill to be entitled An Act relating to the sale and subsequent lease of property by certain counties.

HB 2472 (by Callegari), A bill to be entitled An Act relating to the issuance of Knights of Columbus license plates.

HB 1353 was withdrawn.

SB 1024 (Uresti - House Sponsor), in lieu of **HB 2536**, A bill to be entitled An Act relating to admission of certain nonresident patients to state chest hospitals.

Representative Uresti moved to lay **HB 2536** on the table subject to call.

The motion prevailed without objection.

HB 3191 (by Uresti), A bill to be entitled An Act relating to the issuance of special license plates benefiting Los Compadres of the San Antonio Missions National Historical Park.

HB 3193 (by Uresti), A bill to be entitled An Act relating to the delegation of certain acts by dentists.

HB 1387 (by Hamric), A bill to be entitled An Act relating to the regulation of on-premise signs in certain counties.

HB 1422 (by J. Jones), A bill to be entitled An Act relating to a lost, stolen, or destroyed motor vehicle inspection certificate.

HB 924 (by Eiland), A bill to be entitled An Act relating to extending the boundaries of the Galveston County Navigation District No. 1.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Krusee, Representative Eiland offered the following committee amendment to **HB 924**:

Amend **HB 924** as follows:

(1) On page 3, after line 11, insert:

SECTION 5. EFFECT ON OWNERSHIP OF SUBMERGED LAND.

Nothing in this Act shall be construed to:

(1) grant ownership or control of any state-owned submerged land within the expanded boundaries of the district to the navigation district; or

(2) limit or otherwise affect the authority of the State of Texas, or anyone claiming under the State of Texas, to enter or possess state-owned submerged land for the purpose of exploring for oil, gas, or other minerals within or near the expanded boundaries.

(2) On page 3, line 12, strike "5" and substitute "6"

Amendment No. 1 was adopted without objection.

CSHB 1460 (by Eiland, Talton, Bonnen, Taylor, and Dawson), A bill to be entitled An Act relating to the appraisal of real property for ad valorem tax purposes.

CSHB 1583 (by Gallego), A bill to be entitled An Act relating to the regulation of political contributions to certain judicial candidates.

HB 1633 (by Hilderbran), A bill to be entitled An Act relating to donation of certain surplus school district property to preserve the property.

HB 3561 (by Bonnen), A bill to be entitled An Act relating to public works contracts of the Angleton-Danbury Hospital District.

CSHB 1730 (by Hamric), A bill to be entitled An Act relating to the leasing and contracting powers of a port authority or navigation district.

CSHB 1873 (by Riddle), A bill to be entitled An Act relating to the placement of signs on certain public rights-of-way.

CSHB 3491 (by Raymond and Baxter), A bill to be entitled An Act relating to use of certain 9-1-1 fees and surcharges in certain counties.

HB 1875 (by Wise), A bill to be entitled An Act relating to the water infrastructure fund, rural water assistance fund, rural community water and wastewater loan fund, and colonia self-help account.

Amendment No. 1

Representative Wise offered the following amendment to **HB 1875**:

Amend **HB 1875** (committee printing) on page 4, between lines 9 and 10, by inserting the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS accordingly:

SECTION __. Section 49.153(e), Water Code, is amended to read as follows:

(e) Subsection (c) does not apply to:

(1) a note issued to and approved by the:

(A) Farmers Home Administration;

(B) United States Department of Agriculture; ~~or~~

(C) Texas Water Development Board; or

(D) North American Development Bank; or

(2) a district described by Section 49.181(h).

SECTION __. Section 49.181(a), Water Code, is amended to read as follows:

(a) A district may not issue bonds unless the commission determines that the project to be financed by the bonds is feasible and issues an order approving the issuance of the bonds. This section does not apply to refunding bonds or bonds issued to and approved by the Farmers Home Administration, the United States Department of Agriculture, the North American Development Bank, or the Texas Water Development Board.

SECTION __. Sections 49.183(a) and (b), Water Code, are amended to read as follows:

(a) Except for refunding bonds, or bonds sold to a state or federal agency or to the North American Development Bank, bonds issued by a district shall be sold after advertising for and receiving competitive sealed bids and shall be awarded to the bidder whose bid produces the lowest net effective interest rate to

Amendment No. 1 was adopted without objection.

SB 828 (Nixon - House Sponsor), in lieu of **HB 1897**, A bill to be entitled An Act relating to the supplemental salaries of certain judges in Harris County.

Representative Nixon moved to lay **HB 1897** on the table subject to call.

The motion prevailed without objection.

HB 2029 (by Miller), A bill to be entitled An Act relating to the powers and duties of the Hamilton County Hospital District with respect to the issuance of bonds.

SB 821 (Miller - House Sponsor), in lieu of **HB 2030**, A bill to be entitled An Act relating to certain bonds issued by the Comanche County Consolidated Hospital District.

Representative Miller moved to lay **HB 2030** on the table subject to call.

The motion prevailed without objection.

CSHB 2076 (by Casteel), A bill to be entitled An Act relating to the hotel occupancy tax imposed by certain counties.

HB 2348 was withdrawn.

HB 2582 (by E. Jones, Wilson, Oliveira, Hilderbran, and Hunter), A bill to be entitled An Act relating to the development and implementation of a Texas music compact disc project by the Texas Commission on the Arts.

Amendment No. 1

Representative E. Jones offered the following amendment to **HB 2582**:

Amends **HB 2582** as follows:

(1) on page 1 line 7 by striking "Texas Music Compact Disc Project" and substituting "Texas Music Project."

(2) on page 1 line 18 adds a new subsection to read: (d) In accordance with this chapter and commission policy, the commission shall use part of the interest earned on the proceeds of the project to fund grants of money that promote music education through the commission's arts education grant program.

Amendment No. 1 was adopted without objection.

HB 2147 (by Gattis), A bill to be entitled An Act relating to the filing of a late application for a residence homestead exemption from ad valorem taxation.

HB 3559 (by Gattis), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Williamson County Municipal Utility District No. 13.

CSHB 3560 (by Gattis), A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Williamson County Municipal Utility District No. 12.

(Wohlgemuth now present)

SB 1183 (Morrison - House Sponsor), in lieu of **HB 2277**, A bill to be entitled An Act relating to community service programs under the National and Community Service Act of 1990.

Representative Morrison moved to lay **HB 2277** on the table subject to call.

The motion prevailed without objection.

HB 2299 (by Edwards), A bill to be entitled An Act relating to the issuance of Texas Juneteenth special license plates.

CSHB 2386 (by Hill, Marchant, Hodge, Harper-Brown, and Alonzo), A bill to be entitled An Act relating to the authority of certain municipalities or counties to impose a facility use tax to finance venue projects.

Representative Geren moved to postpone consideration of **CSHB 2386** until the end of the local and consent calendar.

The motion prevailed without objection.

CSHB 3563 (by Hegar), A bill to be entitled An Act relating to the creation of the Waller County Road Improvement District No. 1; providing authority to impose a tax and issue bonds.

HB 2411 was withdrawn.

HB 2414 (by McCall), A bill to be entitled An Act relating to an exemption from the sales tax for nonvehicular fuel cells.

CSHB 2453 (by Kolkhorst), A bill to be entitled An Act relating to the definition of a hospital district management contractor.

CSHB 1945 (by Hartnett), A bill to be entitled An Act relating to certain fees collected by clerks of county courts and statutory county courts.

HB 2678 (by Hartnett), A bill to be entitled An Act relating to authorization for a payroll deduction to be made from a county employee's wages or salary.

CSHB 2679 (by Hartnett), A bill to be entitled An Act relating to the authority of a guardian of the person of a ward to transport the ward to an inpatient mental health facility and file for emergency detention under certain circumstances and to consent to the administration of certain medication.

CSHB 3384 (by Hartnett), A bill to be entitled An Act relating to associate judges appointed by certain district courts in Dallas County.

CSHB 3503 (by Hartnett), A bill to be entitled An Act relating to exculpatory clauses in trusts.

CSHB 3214 (by R. Cook), A bill to be entitled An Act relating to the fees of office payable to directors of certain general and special law districts.

HB 2492 was withdrawn.

CSHB 2493 (by Isett), A bill to be entitled An Act relating to consideration of a bidder's principal place of business in awarding certain municipal and school district contracts.

HB 2662 (by Puente), A bill to be entitled An Act relating to the authority of a municipality to sell a water or sewer system without an election.

SB 1094 (Puente - House Sponsor), in lieu of **HB 2665**, A bill to be entitled An Act relating to the creation of a task force to evaluate matters regarding water conservation.

Representative Puente moved to lay **HB 2665** on the table subject to call.

The motion prevailed without objection.

HB 2765 (by Dukes), A bill to be entitled An Act relating to the purchase of certain wireless communication devices by state agencies.

CSHB 2905 (by Phillips), A bill to be entitled An Act relating to the granting of variances to certain requirements concerning specific information logo signs, major agricultural interest signs, and major shopping area guide signs.

HB 2937 (by Phillips), A bill to be entitled An Act relating to the creation of the office of criminal district attorney of Grayson County and to the abolition of the office of county attorney of Grayson County.

HB 2924 (by Geren), A bill to be entitled An Act relating to the addition of territory to a public improvement district.

HB 3468 (by Geren), A bill to be entitled An Act relating to the irrigation of agricultural land on prison property.

CSHB 2952 (by Kuempel), A bill to be entitled An Act relating to the authority of a joint county and municipal hospital to borrow money.

CSHB 2500 (by Harper-Brown), A bill to be entitled An Act relating to the enforcement of fares imposed for the use of certain public transportation systems; providing penalties.

HB 2971 (by Harper-Brown), A bill to be entitled An Act relating to certain license plates issued by the Texas Department of Transportation.

CSHB 3028 (by J. Moreno), A bill to be entitled An Act relating to certain purchasing contracts of certain navigation districts and port authorities.

CSHB 3030 (by Van Arsdale and Baxter), A bill to be entitled An Act relating to notice of groundwater contamination that may affect a drinking water well.

CSHB 3070 (by Casteel), A bill to be entitled An Act relating to reimbursement for expenses incurred by jurors.

SB 1564 (Casteel - House Sponsor), in lieu of **HB 3081**, A bill to be entitled An Act relating to records and proceedings held in auxiliary facilities outside certain county seats.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Chisum, Representative Casteel offered the following committee amendment to **SB 1564**:

Amend **SB 1564** in SECTION 1 of the bill in added Section 292.0025(b), Local Government Code (Engrossed version, page 1, line 15), immediately after "bonds" by inserting "or other evidences of indebtedness".

Amendment No. 1 was adopted without objection.

Representative Casteel moved to lay **HB 3081** on the table subject to call.

The motion prevailed without objection.

HB 3174 (by Pitts), A bill to be entitled An Act relating to the requirement to submit a health certificate to obtain a license to practice cosmetology.

HB 3460 (by Pitts), A bill to be entitled An Act relating to regulation of the practice of cosmetology.

CSHB 3237 (by T. Smith), A bill to be entitled An Act relating to the payment of retirement benefits to retirees of the Teacher Retirement System of Texas who are employed as substitute teachers and in other public school positions in the same month.

HB 3603 (by T. Smith), A bill to be entitled An Act relating to the appointment or election of judges of municipal courts of record in the City of Bedford.

SB 1594 (Corte - House Sponsor), in lieu of **HB 3362**, A bill to be entitled An Act relating to the Texas State Guard.

Representative Corte moved to lay **HB 3362** on the table subject to call.

The motion prevailed without objection.

HB 3417 was withdrawn.

CSHB 3520 (by Lewis), A bill to be entitled An Act relating to the composition of a bail bond board.

CSHB 3564 (by Eissler), A bill to be entitled An Act relating to the creation of the Montgomery County Road Improvement District No. 1; providing authority to impose a tax and issue bonds.

HB 3592 (by West), A bill to be entitled An Act relating to the creation of the Downtown Midland Management District; providing authority to impose taxes and issue bonds.

HB 1396 was withdrawn.

HCR 27 (by Ellis and Kolkhorst), Conferring the Texas Legislative Medal of Honor on Colonel M. B. Etheredge.

CSHCR 156 (by Noriega and Alonzo), Memorializing Congress to enact the Citizenship For America's Troops Act to allow citizenship through service in the U.S. Armed Forces.

HCR 161 (by Isett), Urging Congress to change veterans' mortgage bonds to cover all veterans who have served on active duty.

SB 189 (J. Jones - House Sponsor), A bill to be entitled An Act relating to the selection of public members to the committee to review salaries and expenses of elected county or precinct officers.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Lewis, Representative J. Jones offered the following committee amendment to **SB 189**:

SB 189 is amended by striking the language on line 19 of page 1 of the bill (Senate Engrossed Version) and substituting the following:

shall be selected at a meeting of the court at any time during the year, but not later than the 15th

Amendment No. 1 was adopted without objection.

SB 234 was previously passed.

CSSB 313 (King - House Sponsor), A bill to be entitled An Act relating to collection of civil damages awarded against certain nonprofit institutions.

Amendment No. 1

On behalf of Representative King, Representative R. Cook offered the following amendment to **CSSB 313**:

Amend **CSSB 313** (house committee printing) in SECTION 1 of the bill as follows:

(1) In Subsection (b), added Section 40.001, Civil Practice and Remedies Code (page 2, line 2), between "similar fund or account" and "if:", insert ", or the income derived from the corpus of the fund or account,".

(2) In Subsection (b)(4)(B), added Section 40.001, Civil Practice and Remedies Code (page 2, lines 20 and 21), strike "governing board of the institution or facility" and substitute "board governing the fund or account".

Amendment No. 1 was adopted without objection.

SB 441 was previously passed.

SB 504 (Kolkhorst and Ellis - House Sponsors), A bill to be entitled An Act relating to a lien on a cause of action or claim of an individual who receives emergency medical services.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Elkins, Representative Kolkhorst offered the following committee amendment to **SB 504**:

Amend **SB 504** as follows:

On page 2, strike 575,000 and substitute 100,000

Amendment No. 1 was adopted without objection.

SB 564 (Naishtat - House Sponsor), A bill to be entitled An Act relating to the application of certain marketing and contracting restrictions to treatment facilities funded by the Texas Commission on Alcohol and Drug Abuse.

SB 567 (Branch - House Sponsor), A bill to be entitled An Act relating to access by certain hospitals and hospital districts to criminal history record information.

SB 667 (Krusee - House Sponsor), A bill to be entitled An Act relating to the establishment or use of certain cemeteries.

CSSB 850 (Taylor - House Sponsor), A bill to be entitled An Act relating to allowing local governments and school districts to prohibit contracts or other transactions with delinquent taxpayers.

SB 934 (W. Smith - House Sponsor), A bill to be entitled An Act relating to use of certain environmental laboratory data and analysis by the Texas Commission on Environmental Quality.

Representative W. Smith moved to postpone consideration of **SB 934** until the end of the local and consent calendar.

The motion prevailed without objection.

SB 948 (Callegari - House Sponsor), A bill to be entitled An Act relating to the authority of the board of a hospital district and the commissioners court of the county in which the district is located to take certain actions relating to ad valorem taxes imposed for the benefit of the hospital district.

SB 959 (Isett - House Sponsor), A bill to be entitled An Act relating to continued health insurance benefits for eligible surviving spouses of certain officers and employees of political subdivisions.

CSSB 984 (Dukes - House Sponsor), A bill to be entitled An Act relating to excepting certain governmental bodies from deliberating in an open meeting certain matters that involve the medical or psychiatric records of an individual.

SB 985 was previously passed.

SB 988 (Laney - House Sponsor), A bill to be entitled An Act relating to application of law regulating sweepstakes to certain associations of airmen.

SB 1238 was previously passed.

SB 1454 (Dawson - House Sponsor), A bill to be entitled An Act relating to regulation of frozen dessert products and manufacturing.

CSSB 1578 (Flynn - House Sponsor), A bill to be entitled An Act relating to an examination requirement for mortgage broker and loan officer license applicants.

CSHB 2386 (by Hill, Marchant, Hodge, Harper-Brown, and Alonzo), A bill to be entitled An Act relating to the authority of certain municipalities or counties to impose a facility use tax to finance venue projects.

SB 934 was withdrawn.

HR 1030 - ADOPTED
(by Farabee)

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 1030**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1030, Congratulating Elwanda Stone on the occasion of her retirement from Holliday Elementary School.

HR 1030 was adopted without objection.

HR 1029 - ADOPTED
(by Farabee)

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 1029**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1029, Congratulating Patsy Shawver on the occasion of her retirement as principal of Holliday Elementary School.

HR 1029 was adopted without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Elections, upon first adjournment today, Desk 58, for a formal meeting, to consider pending senate bills.

Higher Education, upon first adjournment today, Desk 86, for a formal meeting, to consider **HB 268**.

Local Government Ways and Means, upon first adjournment today, Desk 73, for a formal meeting, to consider pending business.

HR 1034 - ADOPTED
(by Kuempel)

Representative Kuempel moved to suspend all necessary rules to take up and consider at this time **HR 1034**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 1034, Honoring Faye Talley of Seguin on her retirement from Alamo Title of Guadalupe County.

HR 1034 was adopted without objection.

ADJOURNMENT

Representative Hill moved that the house adjourn until 12:05 p.m. today.

The motion prevailed without objection.

The house accordingly, at 11:48 a.m., adjourned until 12:05 p.m. today.

